

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**MITCHELL CRAIG LITZ,**

**Petitioner,**

**v.**

**COMMONWEALTH OF  
PENNSYLVANIA, et al,**

**Respondents.**

**Case No. 1:19-CV-01**

**O R D E R**

This petition for writ of habeas corpus was received by the Clerk of Court on January 2, 2019 and was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On May 13, 2019, Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the petition for writ be dismissed with prejudice. ECF No. 38. Judge Lanzillo concluded that because the grounds raised in the petition are procedurally defaulted, the petition should be dismissed. Petitioner filed Objections to the Report and Recommendation [ECF No. 40] and Supplemental Objections [ECF No. 49]. Following a *de novo* review of the petition for writ of habeas corpus and the filings in the case, together with the report and recommendation and objections thereto, the undersigned adopted the Report and Recommendation as the opinion of this Court and the case was closed. ECF No. 50.

Now, Petitioner has filed a self-styled “Motion to Amend the Pleadings.” ECF No. 52. Petitioner’s motion is not a true motion to amend but instead focuses on reasonable accommodation under the American with Disabilities Act relating to interpreters “for persons

who are deaf or hard of hearing.” Petitioner has not included a proposed amended petition and he has not explained how an amended petition would overcome his procedural default in this case.

Accordingly, his motion will be denied.

AND NOW, this 27th day of July 2020;

IT IS ORDERED that the “Motion to Amend the Pleadings” [ECF No. 52] is denied.

/s/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States District Judge